

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 88 OF 2006

1. Shri Kundalik Appa Tamkhade
2. Shri Dadaso Appa Tamkhade
3. Shri Vithoba Appa Tamkhade ...Applicants.

V/s

The State of Maharashtra
Though Vita Police Station,
District : Sangli ...Respondent.

Mr. R.V. More for the applicants.

Mr. Y.S. Shinde, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 23rd January, 2006

P.C.:

1. Heard the learned Counsel for the applicants and
the learned APP for the State.

2. The offence under section 302, 307 read with
section 34 of the Indian Penal Code was registered
against the applicants vide C.R. No.27 of 2005 with
Vita Police Station, District Sangli.

3. The prosecution case is that there was disputes in
respect of the land between the applicants and the
deceased and it is alleged that the deceased was
assaulted with axes and knife. The charge-sheet has

been filed.

4. It appears that there are statements of witnesses who have seen the commission of the said offence. Hence, this is not a fit case for grant of bail. Application for bail is rejected. The Trial Court, however, will not be influenced by any observation made by this Court while refusing to grant the bail and it may not be considered as an expression on merits of the case.

V.M. KANADE, J.